

Notice of Allowability**Application No.**

10/598,551

Applicant(s)

FOSTER ET AL.

Examiner

MARSHALL MCLEOD

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/09/2010.
2. ☒ The allowed claim(s) is/are 1,6,7,9,14,15,17 and 22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/02/2010.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Joseph E. Avellino/
Supervisory Patent Examiner, Art Unit 2454

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gregory S. Donahue, Registration No. 47,531 on November 4, 2010.

1. (currently amended) A method for retrieving digital multimedia content from a network node, comprising: generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to said network node by a client application executing on a digital multimedia device, said message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value; and transferring digital multimedia content to said digital multimedia device by said network node from a second content source identified by at least one of said playlist identifier and said media clip index, wherein said RTSP SET_PARAMETER message is generated in response to the client application generating a SWITCH message while said network node is streaming current digital multimedia content to said digital multimedia device from a first content source different than and physically separate from the second content source wherein the first content source and the

second content source are not located within the same device and, wherein the first content source comprises a first media clip from a first playlist from which said current media multimedia content is accessed for streaming and the second content source comprises a second media clip from a second playlist from which said digital multimedia content of the second content source is accessed for streaming, wherein said network node continues to stream from the first media clip until a boundary of the first media clip is reached and wherein said transferring commencing in response to the boundary of the second media clip being reached during said streaming thereof, further comprising receiving a Normal Play Time (NPT) value determined based on the parameters received in the SET_PARAMETER message, wherein the NPT value indicates a time at which streaming of media content from the second media clip will commence, and further comprising causing the time to be displayed after receiving the NPT and wherein the first playlist is a list of multiple media clips that the first content source can stream and the second playlist is a list of multiple media clips that the second content source can stream and the first media clip and the second media clip contain different content.

6. (currently amended) The method for retrieving digital multimedia content from a network node as recited in claim 1, wherein said digital multimedia device accesses said network node over at least one of a wireline network, a wireless network, and a cable network ~~and wherein the first playlist is a list of multiple~~

~~media clips that the first content source can stream and the second playlist is a list of multiple media clips that the second content source can stream and the first media clip and the second media clip contain different content.~~

9. (currently amended) A system for retrieving digital multimedia content from a network node, comprising: means associated with a client application executing on a digital multimedia device for generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to said network node, said message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value; and means for transferring digital multimedia content to said digital multimedia device by said network node from a second content source identified by at least one of said playlist identifier and said media clip index, wherein said RTSP SET_PARAMETER message is generated in response to the client application generating a SWITCH message while said network node is streaming current digital multimedia content to said digital multimedia device from a first content source different than and physically separate from the second content source wherein the first content source and the second content source are not located within a same device and, wherein the first content source comprises a first media clip from a first playlist from which said current media multimedia content is accessed for streaming and the second content source comprises a second media clip from a second playlist from which said digital multimedia

content of the second content source is accessed for streaming, wherein said network node continues to stream from the first media clip until a boundary of the first media clip is reached and wherein said transferring commencing in response to the boundary of the second media clip being reached during said streaming thereof, further comprising means for receiving a Normal Play Time (NPT) value determined based on the parameters received in the SET_PARAMETER message, wherein the NPT value indicates a time at which streaming of media content from the second media clip will commence, and further comprising means for causing the time to be displayed after receiving the NPT and wherein the first playlist is a list of multiple media clips that the first content source can stream and the second playlist is a list of multiple media clips that the second content source can stream and the first media clip and the second media clip contain different content.

- 17.(currently amended) A digital multimedia device operable to retrieve digital multimedia content from a network node, comprising: a processor executing logic for generating a Real Time Streaming Protocol (RTSP) SET_PARAMETER message to said network node by a client application executing on said digital multimedia device, said message containing at least one of a playlist identifier, a media clip index and a clip offset as well as an indication of an activation time corresponding to an END OF CLIP value; and a player engine operable to play back streaming content from a second content source identified by at least one of

said playlist identifier and said media clip index, said streaming content from the second content source commencing at a time determined responsive to said indication of said activation time, wherein said RTSP SET_PARAMETER message is generated in response to the client application generating a SWITCH message while said network node is streaming current digital multimedia content to said digital multimedia device from a first content source different than and physically separate from the second content source wherein the first content source and the second content source are not located within a same device and, wherein the first content source comprises a first media clip from a first playlist from which said current digital multimedia is accessed for streaming and the second source comprises a second media clip from a second playlist from which said multimedia content of the second content source is accessed for streaming, wherein said network node continues to stream from the second media clip until a boundary of the second media clip is reached, wherein the client application continues to receive said multimedia content being streamed from the first media clip until a boundary of the second media clip is reached, and causing the client application continue to begin receiving said multimedia content from the first media clip in response to the boundary of the first media clip being reached during said streaming thereof, further comprising the client application being configured to receive a Normal Play Time (NPT) value determined based on the parameters received in the SET_PARAMETER message, wherein the NPT value indicates a time at which streaming of media content from the second media clip

will commence, and further comprising the client application being configured to cause the time to be displayed after receiving the NPT and wherein the first playlist is a list of multiple media clips that the first content source can stream and the second playlist is a list of multiple media clips that the second content source can stream and the first media clip and the second media clip contain different content.

- 22.(currently amended) The digital multimedia device operable to retrieve digital multimedia content from a network node as recited in claim 17, ~~farther~~ further comprising means for accessing said network node over at least one of a wireline network, a wireless network, and a cable network.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARSHALL MCLEOD whose telephone number is (571)270-3808. The examiner can normally be reached on Monday - Thursday 6:30 a.m-4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH AVELLINO can be reached on (571) 272-3905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. M./
Examiner, Art Unit 2454
11/17/2010

/Joseph E. Avellino/
Supervisory Patent Examiner, Art Unit 2454